UNITED STATES PATENT AND TRADEMARK OFFICE

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09/653,215	08/31/2000	Thomas E. Saulpaugh	5181-70400	4761

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EXAMINER
CHEN, SHIN HON

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
SHIN-HON CHEN

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Commissioner for Patents

In response to the Order Returning Undocketed Appeal to Examiner, th examiner has withdrawn the rejection of claim 24 as it was inadvertently rejected in Examiner's Answer mailed on 6/1/07. Therefore, claim 24 is allowable and is not forwarded for appeal. On the other hand, regarding the ground of rejection set forth in the "Response to Argument", "Grounds of Rejection to be Reviewed on Appeal" and "Grounds of Rejection" sections, the examiner has provided a revised ground of rejection to clearly indicate the ground of rejection applied toward all appealed claims. Therefore, the ground of rejection listed in appropriate sections are consistent with each other and in condition for review.

PTO-90C (Rev.04-03)

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 09/653,215
Filing Date: August 31, 2000
Appellant(s): SAULPAUGH ET AL.

MAILED

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Technology Center 2100

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For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed on 9/14/06 appealing from the Office action mailed

on 4/4/06.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

No amendment after final has been filed.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is substantially correct. The changes are as follows:

Claims 1, 2, 5, 6, 9-18, 21, 22, 25-34, 37, 38, and 41-47 stand finally rejected under 35 U.S.C. 102 (a) as being anticipated by Adams (U.S. Patent 6,718,470).

Claims 3, 7, 19, 23, 35 and 39 stand finally rejected under U.S.C. 103 (a) as being unpatentable over Adams.

Claims 4, 20 and 36 stand finally rejected under U.S.C. 103 (a) as being unpatentable over Adams in view of Czerwinski et al. "An Architecture for a Secure Service Discovery Service" (hereinafter Czerwinski).

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,718,470   ADAMS   4-2004

Czerwinski, et al. "An Architecture for a Secure Service Discovery Service," Mobicom 99,

Proceedings of the 5th Annual ACM/IEEE International Conference on Mobile Computing and

Networking, August 15th, 1999. XP000896069, pp 24-35.

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis

for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1, 2, 5, 6, 9-18, 21, 22, 25-34, 37, 38, and 41-47 are rejected under 35 U.S.C. 102(a)

as being clearly anticipated by Adams U.S. Pat. No. 6718470 (hereinafter Adams).

As per claim 1, Adams discloses a method for accessing a service in a distributed computing

environment, comprising: a client locating a first service within the distributed computing

environment, wherein the first service provides a plurality of capabilities to clients executing in

the distributed computing environment (Adams: column 5 lines 9-18: the subscriber may use

another application controlled by the relying party; column 6 lines 31-67); the client requesting a

capability credential to allow the client access to a portion of the first service's capabilities (Adams: column 5 lines 19-32; column 6 lines 49-52), wherein said requesting a capability credential comprises the client indicating a set of desired capabilities (Adams: column 6 lines 49-57 and column 5 lines 9-17: access different service of a relying party); the client receiving said capability credential, wherein said capability credential indicates that the client has the right to use only said portion of the first service's capabilities, wherein said portion of the first service's capabilities is less than a total of the plurality of capabilities provided by the first service (Adams: column 5 lines 14-32: the subscriber communicate a request for another application controlled by the relying party...the certificate selector match subscriber's attribute certificate with the privilege test criteria data; column 6 line 65 – column 7 line 9); and the client using said capability credential to access one or more of said portion of the first service's capabilities (Adams: column 7 lines 3-9).

As per claim 2, Adams discloses the method of claim 1. Adams further discloses wherein said requesting a capability credential comprises the client sending a capability credential request message, wherein said capability credential request message comprises an identification of said first service and an indication of the set of desired capabilities (Adams: column 6 lines 49-61 and column 5 lines 14-18).

As per claim 5, Adams discloses the method of claim 2. Adams further discloses the client receiving an advertisement for the first service, wherein said advertisement describes the portion of the first service's capabilities; and wherein said indication of the set of desired capabilities

comprises an indication of said advertisement (Adams: column 5 lines 14-18 and column 6 lines

31-67: the subscriber wants to access the relying party's service, but has to request credential

from the centralized privilege data selector by submitting the subscriber's identity and the

relying party's identifier; Although there is no specific mention of the advertisement,

advertisement serves as a way of letting the user be aware of the service available).

As per claim 6, Adams discloses the method of claim 5. Adams further discloses wherein said

indication of said advertisement is said advertisement itself (Adams: column 5 lines 14-18).

As per claim 9, Adams discloses the method of claim 5. Adams further discloses wherein said

advertisement is a protected advertisement that describes the first service's capabilities but does

not provide an interface to the first service's capabilities (Adams: column 5 lines 14-18: the

website describes the service, and the service can be provided upon authentication).

As per claim 10, Adams discloses the method of claim 1. Adams further discloses the client

receiving a protected advertisement for the first service, wherein said protected advertisement

indicates an address for sending said capability credential request message to (Adams: column 6

lines 31-49; column 5 lines 14-18); and wherein said requesting a capability credential comprises

the client sending a capability credential request message to said address indicated in said

protected advertisement (Adams: column 6 lines 49-58).

As per claim 11, Adams discloses the method of claim 10. Adams further discloses wherein said address indicated in said protected advertisement is for an authentication service, wherein said sending a capability credential request message comprises sending said capability credential request message to said authentication service, the method further comprising the authentication service sending a credential request response message to the client in response to said capability credential request message (Adams: column 6 lines 49-67).

As per claim 12, Adams discloses the method of claim 11. Adams further discloses wherein said credential request response message includes said capability credential, wherein said receiving said capability credential comprises receiving said capability credential from said authentication service in said credential request response message (Adams: column 6 lines 49-67).

As per claim 13, Adams discloses the method of claim 1. Adams further discloses the client receiving a protected advertisement for the first service, wherein said protected advertisement indicates an authentication service (Adams: column 5 lines 14-18: the website describes the service, and the service can be provided upon authentication); and wherein said requesting a capability credential comprises the client requesting a capability credential from said authentication service (Adams: column 6 lines 49-67).

As per claim 14, Adams discloses the method of claim 13. Adams further discloses said authentication service determining a level of the first service's capabilities that the client is authorized to use (Adams: column 6 lines 49-67); said authentication service generating said

capability credential according to said level and said set of desired capabilities (Adams: column

6 lines 59-67); and said authentication service sending said capability credential to the client,

wherein said portion of the first service's capabilities that said capability credential indicates that

the client has a right to use is no more than said set of desired capabilities (Adams: column 6

lines 58-67).

As per claim 15, Adams discloses the method of claim 14. Adams further discloses wherein said

portion of the first service's capabilities that said capability credential indicates that the client has

a right to use is the lesser of said level of the first service's capabilities that the client is

authorized to use and said set of desired capabilities (Adams: column 6 lines 49-67).

As per claim 16, Adams discloses the method of claim 1. Adams further discloses wherein said

using said capability credential to access one or more of said portion of the service's capabilities

comprises the client sending a message to the first service to access a first capability, wherein the

message includes said capability credential (Adams: column 6 line 67 – column 7 line 9), the

method further comprising the first service authenticating said capability credential received in

the message to verify that the client has the right to use said first capability (Adams: column 7

lines 3-9).

As per claim 17, 18, 21, 22, 25-34, 37, 38, and 41-47, claims 17, 18, 21, 22, 24-34, 37, 38, and

41-47 encompass the same scope as claims 1, 2, 5, 6, and 9-16. Therefore, claims 17, 18, 21, 22,

24-34, 37, 38, and 41-47 are rejected based on the same reason set forth above in rejecting claims

1, 2, 5, 6, and 9-16.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of
this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject
matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art
to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 3, 7, 19, 23, 35, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Adams.

As per claim 3, Adams discloses the method of claim 2. Adams does not explicitly disclose

.wherein said identification of said first service comprises a Universal Unique Identifier.

However, Universal Unique Identifier is well known in the art to identify object on the Internet.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of

applicant's invention to use UUID to identify the first service.

As per claim 7, Adams discloses the method of claim 5. Adams does not explicitly disclose said

indication of advertisement is a uniform resource identifier to said advertisement. However,

Adams discloses the subscriber communicate a request over a global network link to a Website

of the relying party (Adams: column 5 lines 14-18). It would have been obvious to one having

ordinary skill in the art to use URI to indicate the advertisement because URI is standard

identifier for accessing a website or advertisement.

As per claim 19, 23, 35, and 39, claims 19, 23, 35, and 39 encompass the same scope as claims 3

and 7. Therefore, claims 19, 23, 35, and 39 are rejected based on the same reason set forth above

in rejecting claims 3 and 7.

Claims 4, 20, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adams

in view of Czerwinski et al. "An Architecture for a Secure Service Discovery Service"

(hereinafter Czerwinski).

As per claim 4, Adams discloses the method of claim 2. Adams does not explicitly disclose the

capability credential request is formatted in eXtensible Markup Language. However, Czerwinski

discloses using XML to establish communication interface (Czerwinski: 2.3 XML Service

Description). It would have been obvious to use XML message interface to allow

communications between the relying parties and subscribers. Therefore, it would have been

obvious to one having ordinary skill in the art at the time of applicant's invention to combine the

teachings of Czerwinski within the system of Adams because XML is well known in the art to

provide greater flexibility as communication interfaces.

As per claim 20 and 36, claims 20 and 36 encompass the same scope as claim 4. Therefore,

claims 20 and 36 are rejected based on the same reason set forth above in rejecting claim 4.

(10) Response to Argument

1.   **Claims 1, 2, 5, 6 and 9-16 stand finally rejected under 35 U.S.C 102 (a) as being anticipated by Adams (U.S. Pat. 6,718,470).**

<u>Claims 1, 2, and 16:</u>

Regarding claim 1, appellant argues Adams fails to disclose a client receiving a capability credential that indicates that the client has the right <u>to use only a portion of service's capabilities,</u> wherein <u>the portion is less than a total of the capabilities</u> provided by the first service.

Examiner respectfully disagrees. Adams discloses a subscriber receives a pre-qualification privilege data to access certain service provided by a relying party (Adams: column 5 lines 14-17: the subscriber communicate request to access application controlled by relying party; column 5 lines 38-41: attribute certificate of a relying party represent a **required membership privilege** to gain access to a **particular software application** controlled by the relying party; column 6 lines 49-65: centralized privilege data selector determines whether the privilege possessed by subscriber is sufficient to access certain service provided by the relying party). The pre-qualification privilege data sent to subscriber indicates the limited capabilities that a subscriber is entitled to with respect to all of the services provided by the relying party (column 6 lines 58-61 and 65-67). Therefore, the pre-qualification privilege data indicates whether the subscriber can access certain portions of a service provided by a relying party.

<u>Claim 5:</u>

Regarding claim 5, appellant argues Adams fails to disclose the client <u>receiving an</u> <u>advertisement for the first service,</u> wherein the advertisement <u>describes the portion of a</u> <u>first service's capabilities.</u>

Examiner respectfully disagrees. Adams discloses that the subscriber requests access to the service through a Website and the subscriber provides the identification of the service and subscriber to the authentication service (Adams: column 5 lines 14-17: Website of relying party; column 6 lines 49-51: the identification of relying party and subscriber). The advertisement achieved through the use of website is well known in the art. The subscribers are exposed to an advertisement when accessing a certain website and decided to request the service described in the advertisement. Therefore, in order for the subscriber to request authentication credential, the subscriber must be aware of the service provided by the relying party and the capability of that service prior to using it.

On the other hand, appellant argues that Adams fails to disclose **a client's indication of the <u>set of desired capabilities comprises an indication of the advertisement.</u>** Examiner respectfully disagrees. Adams clearly disclosed that the subscriber indicates identifications of the subscriber and the service to a privilege data selector in order to obtain pre-qualification privilege data (Adams: column 6 lines 49-51). Without indicating the desired capabilities, the centralized privilege data selector will not be able to determine whether the capabilities associated with the subscriber is sufficient to access services provided by relying party. Therefore, Adams discloses the limitation of claim 5.

<u>Claim 6:</u>

Regarding claim 6, appellant argues Adams fails to disclose where <u>the indication of</u> <u>the advertisement is the advertisement itself</u>.

Examiner respectfully disagrees. Adams discloses that the subscriber is aware of the website as an advertisement and tries to access services associated with the website by requesting pre-qualification privilege data by indicating to a centralized data selector the identification of the website and the subscriber (Adams: column 5 lines 14-17: Website of relying party; column 6 lines 49-67: the identification of relying party and subscriber). Therefore, by indicating the relying party's identification, the indication of the advertisement is achieved since the advertisement is the website itself.

Claim 9:

Regarding claim 9, appellant argues Adams fails to disclose an advertisement that is a protected advertisement that <u>describes the first service's capabilities but does not provide</u> <u>an interface to the first service's capabilities</u>.

Examiner respectfully disagrees. Adams discloses that the service is provided to a subscriber after verification has been completed (column 5 lines 55-57: indicating yes/no to access request). Furthermore, Adams discloses that a subscriber is allowed to understand what services the relying party provides but actual access to the service is granted after verification (Adams: column 5 lines 14-18: aware of service and request service; column 5 lines 54-56: verification of subscriber). Therefore, Adams clearly discloses the protected advertisement that describes services provided but not the actual service itself.

Claims 10, 11, and 12:

Regarding claims 10, 11, and 12, appellant argues Adams fails to disclose a client receiving a protected advertisement for the first service, wherein the protected advertisement indicates an address for sending capability credential request message to.

Examiner respectfully disagrees. Adams discloses that the communication is performed through Web (Adams: column 5 lines 14-18 and column 6 lines 31-49). Since the communication between each entity is through network communication, there must exist an identification for each entity in order to initiate communication between entities. Therefore, an address for sending request to is required in the system of Adams.

Claim 13:

Regarding claim 13, appellant argues Adams fails to disclose a client receiving a protected advertisement for the first service.

Examiner respectfully disagrees. Adams discloses that the service is provided to a subscriber after verification has been completed (column 5 lines 55-57: indicating yes/no to access request). Furthermore, Adams discloses that a subscriber is allowed to understand what services the relying party provides but actual access to the service is granted after verification (Adams: column 5 lines 14-18: aware of service and request service and the **service is the application controlled by the relying party**; column 5 lines 54-56: verification of subscriber). Therefore, Adams clearly discloses the protected advertisement that describes services provided but not the actual service itself.

Claim 14:

Regarding claim 14, appellant argues Adams fails to disclose the authentication service <u>determining a level of the first service's capabilities that the client is authorized to</u>

use and where the portion of the service's capabilities that the capability credential indicates that the client has a right to use is no more than the set of desired capabilities.

Examiner respectfully disagrees. Adams discloses the centralized privilege data selector determines whether privilege possessed by the subscriber is sufficient to access the service by comparing criteria set by the service with the privilege of subscriber (Adams: column 6 lines51-67). By process of authentication is achieved by comparing attribute certificate of both parties to determine if access should be granted. Therefore, the comparison process conducted by the centralized data selector achieves the conventional authentication technique. ·

Furthermore, Adams discloses that the pre-qualification privilege data sent by the centralized data selector to a subscriber contains a set of privileges that the subscriber possesses and only the set of privileges included in the pre-qualification privilege data can the subscriber use to access service provided by relying party (Adams: column 6 lines 58-67).

Claim 15:

Regarding claim 15, appellant argues Adams fails to disclose wherein the portion of the first service's capabilities that the capability credential indicates that the client has a right to use is the lesser of the level of the first service's capabilities that the client is authorized to use and the set of desired capabilities.

Examiner respectfully disagrees, Adams discloses the centralized data selector selects matching attribute certificates between the subscriber and the relying party based on the criteria set by the relying party (Adams: column 6 lines 51-67). Therefore, the privilege data received by the subscriber is a subset of the total capabilities provided by the relying party because it is impossible to obtain capabilities of a relying party for which the relying party does not provide.

2.   Claims 3 and 7 stand finally rejected under 35 U.S.C 103 (a) as being unpatentable

over Adams.

Claim 7:

Regarding claim 7, appellant argues that the examiner fails to provide a motivation

for modifying the system of Adams to use a URI.

Examiner respectfully disagrees. The use of Web communication has been disclosed in

the Adams reference to facilitate communication between entities (Adams: column 4 lines 14-

18). Therefore, the use of URI in Web is taught by the Adams reference as it is required for the

system to be functional.

3.   Claims 4, 20 and 36 stand finally rejected under 35 U.S.C. 103(a) as being

unpatentable over Adams in view of Czerwinski et al.

Appellant traverse the rejection of claims 4, 20 and 36 for at least the reasons

presented regarding its independent claim.

Examiner respectfully traverses the argument of claims 4, 20 and 36 based on reason

provided in prior response toward independent claim.

4.   Claims 17, 18, 21, 22, 25-34, 37, 38, and 41-47 stand finally rejected under 35 U.S.C.

102(a) as being anticipated by Adams.

Please refer to the responses above regarding the 102 rejection of claims 1, 2, 5, 6 and 9-16 as they also apply to claims 17, 18, 21, 22, 25-34, 37, 38, and 41-47.

5.   **Claims 19, 23, 35 and 39 stand finally rejected under 35 U.S.C 103(a) as being unpatentable over Adams.**

Please refer to the responses above regarding the 103 rejection of claims 3 and 7 as they also apply to claims 19, 23, 35 and 39.
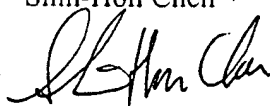
(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.
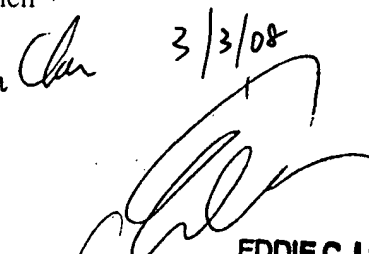
Respectfully submitted,

Shin-Hon Chen

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